The Herald Comments

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Provo Should Control River

The federal government is making a move that amounts to hijacking water from the Provo River, and its first move signals its intent for a dirty fight.

For years, Provo River water has been regulated under direction of various orders from the state Fourth Judicial District court, located in Provo.

In its opening move on what Provo City contends is its water, federal attorneys are trying to wrest control of the Provo from local courts into a federal court.

If that move fails, and the federal government can't get the case tried in its own court, the next move will be to try to have the case heard in a Salt Lake City court.

That strategy is repugnant.

First of all, the State of Utah, by its own constitution, has the right to control the waters within its state. The federal government has absolutely no business adjudicating water matters within the state.

Secondly, moving a Provo River water case into Salt Lake County is like throwing Daniel into the lion's den. Salt Lake County will be the sole beneficiary of any water the federal government manages to wrest from Provo.

Provo is hopping mad about the whole suit.

Twice before, a state judge has carved up rights to the Provo River and declared that his decision included all of the water in the river.

And for the second time, the federal government is going to court to argue that there is spare water in the river, and it wants it.

The first time was to take water for Deer Creek. This time it is to take water for the Jordanelle Reservoir.

Provo water men are determined that whatever the rights and the wrongs of the situation over water in Deer Creek, they don't plan to see another chunk of Provo River water get into federal hands without a fight.

But if the federal government is allowed to go shopping for a sympathetic court, it is immediately obvious that it has no intention of playing this game on anything but a playing field tilted in its favor.

The Provo River case should be argued in the same court where it has always been argued, in the court where judges have always competently divided up the river, and that is in Fourth District Court.